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Examiner: Christopher P. GREY

From: Sanro Zlobec, Reg. No. 52,535

Application No.: 09/963,487

Date: May 29, 2007

Reply to Montreal file no.: 86655-15

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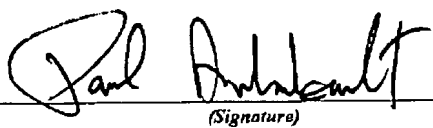
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Steve ROCHON et al.			86655-15
Application No.	Filing Date	Examiner	Group Art Unit
09/963,487	September 27, 2001	Christopher P. GREY	2616
Invention: METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES			
<p style="text-align: center;">COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME</p> <p>I hereby certify that this _____ (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300)</p> <p>on <u>May 29, 2007</u> (Date)</p> <p style="text-align: right;">Paul W. Archambault (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: right;"> (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)				Docket No. 86655-15 RECEIVED	
In Re Application Of: Steve ROCHON et al.				CENTRAL FAX CENTER MAY 29 2007	
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/963,487	September 27, 2001	Christopher P. GREY	28291	2616	8843
Invention: METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES					
<u>COMMISSIONER FOR PATENTS:</u>					
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>December 29, 2006</u> in the above-identified application. <div style="text-align: center; font-size: small;"><i>Date</i></div>					
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated December 29, 2006 finally rejecting Claim(s) 1-4, 25-37, 40-51, 53-55, 57 and 58					
Applicant(s) hereby request(s) an extension of time of (check desired time period): <input type="checkbox"/> One month <input checked="" type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months from: <u> * March 29, 2007 </u> until: <u> May 29, 2007 </u> <div style="text-align: center; font-size: x-small;"><i>Date</i> <i>Date</i></div> <p>* The one month extension of time fee of \$60.00 was already paid on April 18, 2007</p> The fee for the Notice of Appeal and Extension of Time has been calculated as shown below: <div style="margin-left: 300px;">Fee for Notice of Appeal: <u>\$250.00</u></div> <div style="margin-left: 300px;">Fee for Extension of Time: <u>\$225.00 - \$60.00 = \$165.00</u></div> TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: <u>\$415.00</u>					
The fee for the Notice of Appeal and extension of time is to be paid as follows:					
<input type="checkbox"/> A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed. <input checked="" type="checkbox"/> Please charge Deposit Account No. 19-2550 In the amount of \$415.00 <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2550					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <div style="float: right; text-align: right; font-size: x-small;">01 FC:2401 250.00 DA 02 FC:2252 165.00 DA</div> <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-2550 <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					

MAY 29 2007

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**Docket No.
86655-15

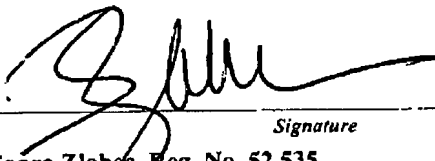
In Re Application Of:

Steve ROCHON et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/963,487	September 27, 2001	Christopher P. GREY	28291	2616	8843

Invention: **METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES****TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:


SignatureDated: May 29, 2007

Sanro Zlobec, Reg. No. 52,535
SMART & BIGGAR
1000 De La Gauchetière Street West
Suite 3300
Montreal, Quebec H3B 4W5
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P29SMALL/REV07